PART III—Section 2

NOTIFICATIONS BY THE HEADS OF DEPARTMENTS

JUDICIAL DEPARTMENT

IN THE HIGH COURT OF MYSORE AT BANGALORE.

Criminal Side.

Circular No. 277, dated 12th June 1937.

The High Court directs that the following instructions be followed in maintaining the Diary and Hearing Book prescribed for all the Criminal Courts in Rule of Practice No. 92, dated 12th June 1937.

The Diary must be written up daily. In the second column every case posted or adjourned to the day and every case in which any action is taken or any application is made to the Court must be entered successively. Against the entry in Column 2 in regard to each case a brief record of what is done in the day must be entered, *e.g.*, which witnesses were examined, which exhibits were admitted in evidence, what orders were made, etc. Below the entries in the Diary for each day the Judge or Magistrate must sign his name or write his initials putting the date when he does so not later than the following Court day after satisfying himself that the entries for the day are correct and complete.

Each page of the Hearing Book should be divided horizontally by lines drawn so as to leave convenient spaces for the number of cases posted to a day according to the nature of the work of the Court. In that way a space should be prepared beforehand for all working days of a calendar month. Immediately a case is posted or adjourned to any date, its number should be entered in Column 3 of the space for that day. When that has been done the presiding officer will be able to see at a glance which days are free or sufficiently free for further postings.

To

The District Magistrates
and all other Magistrates.

Notification Current No. 701 of 36-37, dated 18th June 1937.

Subject:—Amendments of Clause (c) of Rule 1 of Order VII and Rule 1 of Order XVI of the Code of Civil Procedure, 1911.

The following amendments which the High Court proposes to make, in exercise of the powers conferred by Section 122 of the Code of Civil Procedure, 1911, to Clause (c) of Rule 1 of Order VII and Rule 1 of Order XVI, are published as required by the said section, for the information of all persons likely to be affected thereby, and notice is hereby given that the said amendments will be taken up for consideration by the High Court on or after the 19th July 1937. Any objection or suggestion which may be received from any person with respect to the proposed amendments before the said date will be considered by the High Court.

Proposed Amendments.

In Order VII for Clause (c) of Rule 1 substitute.—

"the name of each defendant and, so far as can be ascertained, the name of his father, his description by caste or community, his occupation and his address, including, if he lives in a Municipal Town, the street in which he lives and the door number of his house."

In Order XVI add at the end of Rule 1.—

"Every such application shall give for each witness to be summoned particulars as required by Rule 1 (c) of Order VII for a defendant."

Notification No. R. O. C. 1267 *of* 36-37, *dated* 22*nd June* 1937.

Subject :—Amendment of Rule 63 of Order XXI of the Code of Civil Procedure, 1911.

The following amendment which the High Court proposes to make, in exercise of the powers conferred by Section 122 of the Code of Civil Procedure, 1911, to Rule 63 of Order XXI, is published as required by the said section, for the information of all persons likely to be affected thereby, and notice is hereby given that the said amendment will be taken up for consideration by the High Court on or after the 22nd July 1937. Any objection or suggestion which may be received from any person with respect to the proposed amendment before the said date will be considered by the High Court.

Proposed Amendment.

Add the words "after investigation" after the words "against whom an order is made" occurring in line 2 of Rule 63 of Order XXI of the Code of Civil Procedure, 1911.

The rule after amendment will read thus :—

"Where a claim or an objection is preferred, the party against whom an order is made after investigation may institute a suit to establish the right which he claims to the property in dispute, but subject to the result of such suit, if any, the order shall be conclusive."

T. SHAMIENGAR,
Registrar.

IN THE COURT OF THE PRINCIPAL SUB-JUDGE AT BANGALORE.

Insolvency Case No. 161 *of* 1932-33.

M. Surappa, 37 years, Clerk, Asiatic Goovernment Life Assurance Company, Limited, Bangalore ... ... *Petitioner (Debtor).*

vs.

Ganeshmull Mootha and others ... ... *Opponents.*

Take notice that the abovenamed insolvent has applied at the Court for his discharge, and that the Court has fixed the 2nd day of July 1937, at 11 o'clock, for hearing the application.

Dated this 22nd day of June 1937.

Insolvency Case No. 127 *of* 1932-33.

B. Dasappa, son of Govindappa, Thogater and weaver by profession, residing at Gowdanapet, Bangalore City ... ... *Applicant.*

Take notice that the abovenamed insolvent has applied at the Court for his discharge, and that the Court has fixed the 2nd day of July 1937, at 11 o'clock, for hearing the application.

Dated this 22nd day of June 1937.

Insolvency Case No. 127 *of* 1935-36.

Mir Obedulla, son of Syed Ameer, age 50, Mohameden, residing at Nimboji Rao Gally, Kalasipalyam, Bangalore City ... *Applicant.*

Take notice that the abovenamed insolvent has applied at the Court for his discharge and that the Court has fixed the 2nd day of July 1937, at 11 o'clock, for hearing the application.

Dated this 22nd day of June 1937.

Insolvency Application No. 131 *of* 1935-36.

S. Lakshminarasimhiah, Agriculturist, residing at Dodmavalli, Bangalore City ... ... *Petitioner (Debtor).*

vs.

M. Kempiah and eleven others ... ... *Opponents (Creditors).*

Pursuant to a petition, dated 31st January 1936, against creditors and on the application of the petitioner (debtor) and on reading the petition and hearing the parties it is ordered that the debtor be and the said debtor is hereby adjudged insolvent.

Dated this 18th day of June 1937.
Proof of debts by 30th July 1937.
Discharge—one year.

Insolvency Application No. 160 *of* 1935-36.

N. Narasimhaiya, son of Nanjundappa, age 50, Vakkaligar, residing at Chamarajpet, Bangalore City ... ... *Petitioner (Debtor).*

vs.

Mangoomal Atma Sing and two others ... ... *Opponents (Creditors).*

Pursuant to a petition, dated 25th March 1936, against creditors, and on the application of the petitioner, (debtor) and on reading the application and hearing the parties it is ordered that the debtor be and the said debtor is hereby adjudged insolvent.

Dated this 18th day of June 1937.
Proof of debts by 23rd July 1937.
Discharge—one year.

Insolvency Case No. 177 *of* 1935-36.

Chokkappa, son of Anniyappa, Mandy clerk, Chamarajpet, Bangalore City ... ... *Petitioner (Applicant).*

Take notice that the abovenamed insolvent has applied at the Court for his discharge, and that the Court has fixed the 2nd day of July 1937, at 11 o'clock, for hearing the application.

Dated this 18th day of June 1937.

Insolvency Application No. 83 *of* 1936-37.

K. T. Sundara Rajiengar, son of K. T. Srinivasiengar, clerk, Imperial Bank of India, C. & M. Station, Bangalore, residing at Kottige lane, Bangalore City .. .. *Petitioner (Debtor).*

vs.

Gopalakrishnaswami Co-operative Society, Ltd., and others ... *Opponents (Creditors).*

Pursuant to a petition, dated 20th October 1936, against the opponents, and on the application of the petitioner, (debtor) and on reading the petition and hearing the parties, it is ordered that the debtor be and the said debtor is hereby adjudged insolvent.

Dated this 18th day of June 1937.
Proof of debt by 30th July 1937.
Discharge—one year.
Petitioner will deposit Rs. 15 per month.

Insolvency Application No. 117 *of* 1936-37.

Kopparam Kenchiah Setty, son of K. Kenchaiya Setty, age 48, residing at Akkipet, Bangalore City ... ... *Petitioner. (Debtor).*

vs.

The Vaisya Co-operative Bank, Limited, and seven others *Opponents (Creditors).*

Pursuant to a petition, dated 4th January 1937, against the opponents, (creditors) and on the application of the petitioner (debtor) and on reading the petition and hearing the parties it is ordered that the debtor be and the said debtor is hereby adjudged insolvent.

Dated this 18th day of June 1937.
Proof of debts by 23rd July 1937.
Discharge—six months.

B. RAMANNA,
Principal Sub-Judge.

IN THE COURT OF THE MUNSIFF AT DODBALLAPUR.

Insolvency Application No. 4 *of* 1935-36.

Gurappachar, Dodballapur ... ... *Petitioner.* (*Debtor*).

vs.

A. Lakhsminarayanasetty, Dodballapur ... ... *Opponent.* (*Creditor*).

Pursuant to a petition, dated 3rd day of June 1936, against opponent and on the application of Gurappachar, son of Kesavachar, Dodballapur and on reading 4th June 1937, and hearing the parties on 4th June 1937, it is ordered that the application be and the said debtor is hereby adjudged insolvent.

Dated this 22nd day of June 1937.
Creditors to prove debts by 30th June 1937.
Discharge by six months.

K. R. THIMMARAYA SETTY,
Munsiff.

IN THE COURT OF THE MUNSIFF OF KOLAR GOLD FIELDS, ROBERTSONPET.

Insolvency Case No. 47 *of* 1932-33.

Whittaker, Electrician, Electricity Department, Oorgaum ... *Petitioner.*

vs.

(1) B. Seshamull, Robertsonpet, (2) M. Seshamull, Andersonpet ... *Opponents.*

On the application of the petitioner adjudged an insolvent on the 28th day of August 1933, and after hearing him, and credited it is ordered that the said insolvent be discharged forthwith.

Given under my hand and the seal of this Court, this 22nd day of June 1937.

Insolvency Application No. 97 *of* 1936-37.

B. Madhwa Rao, son of Subba Rao, Robertsonpet ... ... *Petitioner.*

vs.

(1) A. Rathnachand, (2) Himmathmull, 1 and 2 at Andersonpet, (3) K. Subbaiah, (4) L. Kundanmull, (5) Misrilal, (6) P. Gulab-chand-Gourchand, 3 to 6 at Robertsonpet, (7) Chengalrayappa, Nachpalli ... ... *Opponents.*

Pursuant to a petition, against creditors, and on the application of the petitioner, it is ordered that the debtor, be and the said debtor is hereby adjudged insolvent.

Dated this 22nd day of June 1937.
Time for discharge—One year.
For proof of debts 16th November 1937.

M. K. SIVASANKARA RAO,
Munsiff.

IN THE COURT OF THE MUNSIFF AT CHIKBALLAPUR.

Insolvency Application No. 7 *of* 1936-37.

Jayam Adappa, son of Jayam Subbiah, Vaisya, Mailaganahalli, Manchenahalli Hobli, Goribidnur Taluk ... ... *Petitioner.*

vs.

(1) Chabumiyya Sabi, deceased by Legal Representative—son Karim Sabi, Amarapura, Madakasira Taluk, (2) Ebrahim Latheef Sait, (3) Mahamadpeer, 2 and 3 residing at Hindupur ... *Opponents.*

Pursuant to a petition, dated 5th October 1936, against the opponents and on the application of the petitioner and on reading the same and hearing both the parties it is ordered that the debtor be and the said debtor is hereby adjudged insolvent.

Creditors to prove their debts by 30th July 1937.
Dated this 22nd day of June 1937.

N. SAMAIENGAR,
Munsiff.

IN THE COURT OF THE SECOND MUNSIFF AT TUMKUR.

Insolvency Application No. 4 of 1936-37.

C. T. Srinivasia, son of Thammanna, residing at Tiptur Town, Tiptur *Petitioner (Debtor).*

vs.

(1) Thimmakka *alias* Sannamma, (2) Palaghatti Adaviah and (3) Kalappa, all residing at Tiptur ... ... *Opponents (Creditors).*

Pursuant to a petition, dated 3rd November 1936, against opponents (1 to 3) and on the application of opponents 1 to 3 and on reading the debtor's petition and hearing the opponents 1 to 3, it is ordered that the debtor be and the said debtor is hereby adjudged insolvent.

Dated this 25th day of June 1937.

Time for discharge—18 months.

Creditors to prove their debt by 23rd July 1937.

Adjudication order is made under Section 74 under summary procedure.

L. VENKATARAMANAIYA,
Second Munsiff.

IN THE COURT OF THE SUBORDINATE JUDGE AT MYSORE.

Insolvency Case No. 51 of 1935-36.

Bhima ... ... *Petitioner.*

vs.

Yellappa *alias* Papiah and others ... ... *Insolvent.*
Opponents. (Creditors).

On the application of the petitioner, adjudged an insolvent on the 15th day of June 1936, and examining him it is ordered that the said insolvent be discharged forthwith.

Dated the 14th day of June 1937.

Insolvency Case No. 76 of 1935-36.

M. S. Rama Sastry ... ... *Petitioner. (Insolvent.)*

vs.

Subbiah and another ... ... *Opponents. (Creditors.)*

On the application of the petitioner, adjudged an insolvent on 27th day of July 1936, and examining him, it is ordered that the said insolvent be discharged forthwith.

Dated this 14th day of June 1937.

S. KRISHNAMURTHI,
Subordinate Judge.

IN THE COURT OF THE MUNSIFF AT CHIKMAGALUR.

Insolvency Application No. 4 of 1936-37.

Ariyappa, son of Balappa, resident of Naranapur in Kadur Taluk ... *Petitioner.*

vs.

Nanjappa, son of Mallanna, resident of Naranapur in Singatagere Hobli, Kadur Taluk ... ... *Opponent.*

Pursuant to a petition, dated 20th July 1936, against the opponent, and on the application of the petitioner Ariyappa and on reading the petition, and examining the petitioner it is ordered that the debtor be and the said debtor is hereby adjudged insolvent.

Dated this 28th day of June 1937.

Insolvency Application No. 5 of 1936-37.

Galanna, son of Huchanna, resident of Birur in Kadur Taluk ... *Petitioner.*

vs.

Khareedi Ramanna, son of Krishnappa, resident of Birur in Kadur Taluk, and two others ... ... *Opponent.*

Pursuant to a petition, dated 30th July 1936, against the opponent and on the application of the petitioner Galanna and on reading the petition and examining the petitioner it is ordered that the debtor be and the said debtor is hereby adjudged insolvent.

Dated this 28th day of June 1937.

T. N. MALLAPPA,
Munsiff.